G. R. S. IX-5]

Previous references.

LR. 18-1886
LR 23-1890

1893-1896
~~191~~.
(L. R.)

File No. 6 c

Serial Nos. 1—3

Later references.

LR. 46-1899
LR-449-04
LR-700-14 (Rs 3+4)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—3

Part B for December 1894

SUBJECT.

Modification of para 4 of Rule X of the Land Revenue Rules.

Countersigned
[illegible]

W D 88—GPB—50,000—24-7-16

Endorsed
[illegible]

complained of -
Ref to Rev Commr

7/5

order

Govt are not prepared to alter the existing rules. — Dy Comrs are competent to grant general or special permission for excavating earth for Public works, & if general permission is required in any particular locality Executive Engrs may apply for it to the Dy Comr —

8/5/94

Draft to 9/5

Drafted 9/5

1893/94. 4079

MYSORE R. W. DEPARTMENT. R/66

No. H 2147 dated 1/9/93

From

The Chief Engineer
of Mysore.

To

The Chief Secretary to the
Govt of Mysore. —

Dated Bangalore 21st September 1893

Despatched

Enclosure No. One

SUBJECT.

Recommending for sanction that the P. W. Department be given the same rights as are allowed to villagers to excavate earth in bed of Government tanks for making bricks &c for Government purposes. —

Rev. Mr
23/9

Submitted 10/2/1894

Unenrolled Secretariat

23/9 No permission to excavate
15/pr. earth is required if it is required for bona fide domestic or agricultural purpose.
The case of potters, contractors &c: who may require earth in large quantities is different, & that they should obtain the Dy Comrs previous permission is a good safeguard.

7/2/1894

Brief entry - necessary

Mysore Govt. C. P. Bangalore.—10-9-92—1,000.

Copy of clauses (3) & (4) of Rule X of the Mysore Land Revenue Rules.

Removal of earth, stone, &c. from unassessed waste for bonâ-fidê domestic or agricultural purposes.

(3) - Any person may, within the limits of the village in which he resides, remove earth, stone, Kankar, sand, murram, or other materials, from the beds of rivers, Tanks and Nallahs, or from any unassessed waste land not assigned for special purposes, for his own bonâ-fidê domestic or agricultural purposes, without payment of fee, so long as he does not interfere with or injure any work of irrigation or cause damage to land used or required for public purposes. Potters and brick-and-tile makers shall be entitled to the same privilege for the bonâ-fidê purposes of their trade but the Deputy Commr. may prohibit the removal of the materials under this Rule from specified localities, or impose such conditions as may be considered proper.

Local Funds, Public Works and other Public Departments may remove earth, &c. from unoccupied Govt. lands.

(4) - The Local Funds, Public Works, and other Public Departments and

& Contractors for Public Works under the Municipal Local Funds & other Public Departments

or

& the individual public Works Contractors

Municipalities may, with the permission of the Deputy Comm.r and subject to his supervision and to the payment of such royalty as may be prescribed by Govt. remove earth, stone, Kankar, sand, miram, and other material from the beds of the rivers, nallahs, or public lands, or from any unassessed land, or any unoccupied assessed land not assigned for special purposes, for Govt. works or works of public utility, whether such works be Constructed ~~for~~ departmentally or by contract.

How did this come

Rev: File No. 147-92. in
ré Royalty on Stone, is
sent herewith to B. Lakshman
Rao as directed by
the Chief Sec.

10/9/94

Submitted.

In connection
with this reference,
the Dewan Bahadur
has directed that the
Office copy of proceed-
ings No. (12) 4546. 57
R. F. 147-92
dated 19th September 1892
in which the modi-
fication was ordered,
should be obtained —
Respectfully beg that
orders may be kindly
given for its being sent-

It is also res-
pectfully solicited that
proceedings No. (10) 1522.31
Civ 9
dated 27th April 1892,
referred to in the pro-
-ceedings mentioned
above, may be ordered to
be sent —

Yours most obediently

B. V. Lakshmanrao
5. 9. 94. Clerk Dewan's Office

R 966.

MYSORE P. W. DEPARTMENT

No. 4217

CENTRAL OFFICE,

Bangalore, 21st September 1893.

From

Lt.-Colonel J. McNeil Campbell, R.E.,
~~The~~ Chief Engineer of Mysore,
Bangalore.

60-93

To

The Chief Secretary to the
Govt of Mysore.

SIR,

I have the honor to forward the enclosed copy of letter No. 339 dated 10th instant, from the Executive Engineer Tumkur Division, and to recommend for the favorable consideration and sanction of Government, the proposal therein made that the P. W. Department be given the same rights as are allowed to villagers in Rule 3 of the "Mysore Land Revenue Code" to excavate earth in bed of Government Tanks for making bricks &c. for Government purposes. —

I have the honor to be,
Sir
Your most Obedient Servant.

J. McN. Campbell Lt.-Colonel, R.E.,
Chief Engineer of Mysore. —

Rd. Cds

Tumkur Division
Dated 10th September 1893.

From,
The Executive Engineer
Tumkur Division.

To,
The Chief Engineer
of Mysore.

Sir,

I have the honor to report that a P.W.D. Contractor excavated some earth in the bed of a Government tank for making bricks for building a Musafirkhana at Chikkanayakanhalli. The Amildar called upon the Contractor to explain how he excavated earth in the bed of a Govt. tank for P.W.D. work without obtaining his permission as it was against the "Revenue Rules". The subject was referred by me to the Deputy Commissioner and he said that it was against Revenue Rules but that he had condoned the fault this time. The rules referred to are rules Nos. 3 and 4 (vide Page 4) of Section X of "Rules" framed under the Mysore Land Revenue Code" which runs as follows:—

These rules are in Section 36 of the Revenue Code.

Rule No. 3. Any person may within the limits of the village in which he resides, remove earth, Stone, Kankar, Sand, murum, or other material from the beds of rivers, tanks, and Nullahs, or from any unassessed waste

waste land not assigned for special purposes, for his own "bona-fide" domestic or Agricultural purposes without payment of fee, so long as he does not interfere with or injure any work of irrigation or cause damage to land used or required for public purposes. Potters, brick- and tile makers shall be entitled to the same privilege for the "bona fide" purposes of their trade, but the Deputy Commissioner may prohibit the removal of the materials under this rule from Special localities, or impose such conditions as may be considered proper." —

Rule 4. — "The Local Funds, Public Works and other Public departments and Municipalities may, with the permission of the Deputy Commissioner and subject to his supervision remove earth, Stone, Kankar, Sand, Gravel, and other material from the beds of rivers, Nullahs or Public tanks, or from any unassessed land, or any unoccupied assessed land not assigned for Special purposes, for Govt. works, or works of public utility

works be constructed departmentally or by Contract."—

Under rule No. 4 we cannot excavate a basketful of earth from a tank bed and put it on bund, or remove sand from any Nullah and cart it to road side as we have to do everyday - In fact our correspondence with Revenue Department for permission in each case will be increased a great deal and we can do no work if the Revenue Department were strictly to observe this rule. The Municipalities and other works carried out under Revenue officers do not suffer any inconvenience as there is none to object to their Contractors. May therefore that you will be pleased to move the Government to give us the same rights as are given to the villagers in rule 3 quoted above. The ryots have not to obtain permission of the Revenue Department but we have.—

I have &c.,
/ Signed / C. J. Dalal.
Executive Engineer.
Irrigation Division.

True Copy.
W. D. Hutchins
Supdt. Chief Engineer of Mysore.

Bangalore Dt. 11th Sept 1903

ckhs

60-93

Proceedings of the Govt of H. H. the Maharaja of Mysore

Read-

Letter from the Chief Engineer of Mysore dated 21 Sept 1893, No 4217, recommending modification of para 4 of Section X of the Revenue Rules to prevent inconvenience caused to D.P.W. Officers & their contractors by the provision therein that the permission of the Dy Commissioner should be obtained before removing earth, stone &c from beds of rivers, Nallas or public tanks or from any unassessed land or unoccupied assessed land

Order thereon :—

Under the circumstances brought to notice, Government are pleased to sanction the following amendment of para 4 of Section X of the Revenue Rules, viz :-

(1) after the word "Municipalities" insert the words "or their Contractors if specially authorised by them"

(2) Omit the words "with the permission of the Deputy Commissioner, and" after the word "may"; the words "& his supervision and" after the word "subject"; and the words "whether such works be constructed departmentally or by Contract" at the end of the para;

(5) after the words "public utility" add the words— "but the Dy Commr may ~~confirm, disallow or~~ prohibit the removal of the materials under this rule from ~~certain~~ localities, or impose such conditions as may be considered proper"

Para 4 of Rule X as now amended will read as follows:—

"The Local Funds, Public Works, and other Public Departments and Municipalities, or their contractors if specially authorized by them to do so, may, subject to the payment of such royalty as may be

prescribed by Government, remove earth, stone, Kankar, sand, muram and other material, from the beds of rivers, Nullahs, or public tanks, or from any unassessed land ~~or~~ any unoccupied assessed land not assigned for ~~any~~ special purposes, for Government works or works of public utility, but the Deputy Commissioner may prohibit the removal of the materials under this rule from specified localities, or impose such conditions as may be considered proper."

3. The above amendment will be published in the Mysore Gazette.

16/12/24

18/12/24
for Chief Secretary.

To The Chief Engineer in Mysore
- Dr Commrs of Districts

Issue
16/12/24

8

Proceedings of the Government of His Highness the Maharaja of Mysore (Revenue),—dated 18th December 1894.

READ :—

Letter from the Chief Engineer of Mysore, dated 21st September 1893, No. 4217, recommending modification of para 4 of section X of the Revenue Rules to prevent inconvenience caused to Public Works Department Officers and their contractors by the provision therein that the permission of the Deputy Commissioner should be obtained before removing earth, stone, &c., from beds of rivers, nalas, or public tanks or from any unassessed land or unoccupied assessed land.

No. 10303-11—R. F. 147-92, DATED, BANGALORE, 18TH DECEMBER 1894.

ORDER THEREON.—Under the circumstances brought to notice, Government are pleased to sanction the following amendment of para 4 of section X of the Revenue Rules, namely :—

(1) after the word "Municipalities" insert the words "or their contractors if specially authorized by them to do so";

(2) omit the words "with the permission of the Deputy Commissioner, and" after the word "may"; the words "to his supervision and" after the word "subject"; and the words "whether such works be constructed departmentally or by contract" at the end of the para; and

(3) after the words "public utility" add the words "but the Deputy Commissioner may prohibit the removal of the materials under this rule from specified localities, or impose such conditions as may be considered proper."

2. Para 4 of Rule X as now amended will read as follows :—

"The Local Funds, Public Works, and other Public Departments and Municipalities, or their contractors if specially authorized by them to do so, may, subject to the payment of such royalty as may be prescribed by Government, remove earth, stone, kankar, sand, murum and other material, from the beds of rivers, nalas, or public tanks, or from any unassessed land or any unoccupied assessed land not assigned for special purposes, for Government works or works of public utility, but the Deputy Commissioner may prohibit the removal of the materials under this rule from specified localities, or impose such conditions as may be considered proper."

3. The above amendment will be published in the Mysore Gazette.

L. ANANTASAMI RAO,
For Chief Secretary.

To—The Chief Engineer in Mysore.
The Deputy Commissioners of Districts.

Exd.—M.A.

9

1894-95

GOVERNMENT OF MYSORE

REVENUE

PROCEEDINGS

Dated 18*th December* 1894

No. 10303-11
R. F. 147-92

Modifying para 4 of Rule X of the Land Revenue Rules regarding the removal of earth, stone, &c., from unassessed or unoccupied assessed lands, by the Local Funds Public Works, and other Public Departments.

M.G.C.P.B.—15-1-95—120

Notification. (36)

No 10510 / R.F.147-92 dt 20/12/94 22

LR 60-1893 2

The Govt of H.H. the Maharaja of Mysore direct that the following be substituted for para 4, Rule V of the Mysore Land Rev: Rules: —

"4* The Local Funds, Public Works and other Public Departments and Municipalities, or their contractors if specially authorized by them to do so, may, subject to the payment of such royalty as may be prescribed by Govt., remove earth, stone, Kankar, sand, murram, and other material from the beds of rivers, nullahs, or public tanks, or from any unassessed land or any ~~—~~ unoccupied assessed

land not assigned for Special purposes, for Govt works or works of public utility but the Dy: Commr may prohibit the removal of the materials under this rule from Specified localities, or impose such conditions as may be considered proper".

By order

20/12/94
Under Secretary

To.

The Compiler
Mysore Gazette
for publication in
3 Successive issues of
the Gazette in
English & Canarese-

20/12/94